

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
(Milwaukee Division)

JOHN DOE,

Plaintiff,

v.

Civil Action No. 19-cv-388

MARIAN UNIVERSITY,

Defendants.

MEET AND CONFER CERTIFICATION

1. Due to the impracticability of the expert disclosure deadline, Plaintiff met and conferred with Defendant the following day on September 13, 2019 at 1:07 PM, requesting a two-week extension for expert designations, from September 16, 2019 to September 30, 2019, and offering a similar extension for Defendant's deadline. Exhibit 1, page 1. All email correspondence included counsel of record for Plaintiff, Jesse R. Binnall and Lindsay R. McKasson, as well as counsel for Defendant, Lori Lubinsky and Danielle Baudhuin.
2. Defendant denied the request on September 13, 2019 at 5:22 PM. Exhibit 1, page 2.
3. Plaintiff followed-up with a meet and confer letter and offered to set a conference by phone in order to resolve the issue without a motion on September 17, 2019 at 5:41 PM. Exhibit 1, page 4.

4. Defendant denied the request once more on September 18, 2019 at 4:38 PM, citing concern with the upcoming dispositive motion due date on October 15, 2019. Exhibit 1, page 7; Dkt. 10.
5. On September 19, 2019 at 4:51 PM, Plaintiff tried once more to amenablely resolve the deadline absent the Court's intervention.
6. At that time, Plaintiff's counsel offered to extend the dispositive motion deadline as well as attempted to set the matter for a phone conference. Exhibit 1, page 8.
7. Defendant did not respond.
8. Since that time, Plaintiff has had the phone conference with the expert, who is available during the trial date scheduled for this matter.
9. Plaintiff retained that expert on September 25, 2019, while drafting this motion.
10. The expert needs to review relevant documents and depositions to prepare his report, which is why Plaintiff requests an extension to October 15, 2019.
11. On September 24, 2019 at 12:02 PM, Plaintiff emailed Defendant once again to schedule a call regarding the expert deadline extension. Exhibit 1, page 9. The call was scheduled for September 26, 2019 at 8:30 AM.
12. On September 25, 2019 at 2:44 PM, Plaintiff emailed a draft of this motion in preparation for the phone conference in an effort to further meet and confer.
13. On September 26, 2019, Plaintiff and Defendant participated in a meet and confer conference at 8:30 AM in good faith. On that conference call was Danielle Baudhuin for Defendant and Jesse R. Binnall and Lindsay R. McKasson for Plaintiff. During that conference, Plaintiff tried to be creative in coming up with

a solution to avoid motion practice, including again offering to consent to extending the dispositive motion deadline and offering to truncate Plaintiff's own response time to Defendant's motion. Defendant took the offer under advisement, but then declined via email later that day. Exhibit 1, page 13.

I swear that the foregoing is true and correct under the laws of the United States of America on this 30th day of September 2019.

DATED: September 30, 2019

Respectfully submitted,

By: /s/ Jesse R. Binnall
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CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2019, I filed the foregoing using the Clerk's CM/ECF system, which will provide notice to all counsel of record.

By: /s/ Jesse R. Binnall
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